

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims

1.-19. (Cancelled)

20.-27. ~~(Withdrawn)~~ - Cancelled

28.-36 (Cancelled)

37.-40. ~~(Withdrawn)~~ - cancelled

41-43. (cancelled)

¹/~~44~~. (Previously Added) An isolated nucleic acid consisting of the nucleotide sequence of SEQ ID NO: 6.

⁴/~~45~~. (Previously Added) An isolated nucleic acid consisting of nucleotides 1-16 of the nucleotide sequence of SEQ ID NO: 6.

⁷/~~46~~. (Previously Added) An isolated nucleic acid consisting of nucleotides 10-24 of the nucleotide sequence of SEQ ID NO: 6.

²/~~47~~. (Currently Amended) A construct ~~comprising~~ consisting of, one or more than one isolated nucleic acid as defined by claim ¹/~~44~~ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

48.-49. (Cancelled)

³/~~50~~. (New) The construct of claim ²/~~47~~, wherein the one or more than one regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.

~~51~~⁵. (New) A construct consisting of, one or more than one isolated nucleic acid as defined by claim ~~45~~⁴ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

~~52~~⁶. (New) The construct of claim ~~51~~⁵, wherein the one or more than one regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.

~~53~~⁸. (New) A construct consisting of, one or more than one isolated nucleic acid as defined by claim ~~46~~⁷ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

~~54~~⁹. (New) The construct of claim ~~53~~⁸, wherein the one or more than one regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.

~~55~~¹⁰. (New) An isolated nucleic acid consisting of two copies of the nucleotide sequence of SEQ ID NO: 6.

~~56~~¹¹. (New) A construct consisting of the isolated nucleic acid as defined by claim ~~55~~¹⁰ in operative association with a gene of interest, and in operative association with one or more than one regulatory element required for the expression of the gene of interest within a host organism.

~~57~~¹². (New) The construct of claim ~~56~~¹¹, wherein the regulatory element comprises a regulatory element selected from the group consisting of an inducible promoter, a developmentally regulated promoter, a tissue specific promoter, a constitutive promoter, and an enhancer element.